

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

—
No. 6:23-cv-00350

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Coy D. Glenn,

Petitioner,

v.

Director, TDCJ-CID

Respondent.

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ORDER

Petitioner Coy D. Glenn, proceeding pro se, filed this habeas corpus proceeding pursuant to 28 U.S.C. § 2254. The case was referred to United States Magistrate Judge K. Nicole Mitchell.

On October 10, 2023, the magistrate judge issued a report recommending that petitioner's lawsuit be dismissed, without prejudice, for petitioner's failure to comply with an order of the court. Doc. 5. A copy of this report was sent to petitioner at his last-known address. The docket reflects that the mail was returned as "undeliverable." Doc. 6. Petitioner has neither filed objections to the report nor otherwise communicated with the court.

When there have been no timely objections to a magistrate judge's report and recommendation, the court reviews it only for clear error. *See Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996). Having reviewed the magistrate judge's report, and being satisfied that it contains no clear error, the court accepts its findings and recommendation. Petitioner's habeas proceeding is dismissed, without prejudice, for the failure to comply with an order of the court. A certificate of appealability is denied *sua sponte*, which refers to this case only and does not prevent refiling. All motions pending in this civil action are denied.

So ordered by the court on November 8, 2023.



J. CAMPBELL BARKER
United States District Judge